



Massachusetts Department of Environmental Protection  
Bureau of Waste Prevention – Solid Waste Management  
Beneficial Use Determination

BWP SW 13 Beneficial Use Determination – Major  
BWP SW 30 Beneficial Use Determination - Minor  
**Instructions and Supporting Materials**

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- introduction
- permit fact sheet
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- DEP addresses and phone numbers
- application forms

Introduction

DEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the DEP Web site at [mass.gov/dep](http://mass.gov/dep) in two file formats: Microsoft Word and Adobe Acrobat PDF. Either format allows documents to be printed.

*Instructions & Support Materials* files in Microsoft Word format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

*Permit Applications* in Microsoft Word format must be downloaded separately. Users with Microsoft Word 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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**Permit Fact Sheet**

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**1. What is the purpose of these determinations?**

Some types of solid waste may be used as an effective substitute for a commercial product or commodity. This is termed "beneficial use" of a solid waste. DEP must determine that this use of solid waste is beneficial and will not harm public health or the environment. The material is then not classified as a solid waste. The approval may limit use of the material to a specific location or to a specific application of the material, or both.

Legal authority is found in MGL c. 21A, ss. 2 and 8, c. 111, ss. 150A. Regulatory authority is found in 310 CMR 19.000: Solid Waste Management Regulations, specifically 310 CMR 19.060, Beneficial Use of Solid Wastes.

**2. Who must apply?**

Any individual, business or organization that wants to beneficially use solid waste materials.

**2a. Which application should I file, major (BWP SW 13) or minor (BWP SW 30)?**

The application you should use is determined by the quantity of material which you will be beneficially using, either at one time or over a period of time. For beneficial use of greater than 20 tons of a material at one time or over a period of time, use BWP SW 13. If you beneficially use 20 tons or less, then use BWP SW 30.

**3. What other requirements should be considered when applying for these determinations?**

The proponent must gather the appropriate data on the physical, chemical and biological nature of the material for which a beneficial use determination is requested. In most cases the generator of the waste material should be able to provide most or all of the required information. If not, a certified laboratory should be retained to provide the relevant data.

**Note:** These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include all requirements.

**4. What is the application fee?**

BWP SW 13 - Major.....\$1,580  
BWP SW 30 - Minor.....\$400

**5. What is the Primary Permit Location? What is the Reserve Copy Location?**

*Primary Permit Location:*  
Dep't. of Environmental Protection  
\_\_\_\_\_ \* Regional Office  
Solid Waste Management

*Reserve Copy Location:*  
Board of Health  
(See note).

\*See "DEP Addresses and Phone Numbers" page included in this package.



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**Note:** A copy of the application must be sent to the board of health for the community in jurisdiction of which the material is to beneficially used unless DEP determines that the proposed use is not limited to a specific location and therefore it is not practical to identify the board of health. The applicant should consult the appropriate DEP regional office by phone or letter before the application is made.

**6. What are the timelines?**

As of July 1, 1992 the timelines are:

	AC	T1	T2*	PC
BWP SW 13	30	30	30	**
BWP SW 30	30	30	30	**

\*(A second technical review will only be conducted if necessary).

\*\* (Please note that 310 CMR 19.060(3) requires that the Department shall accept written comments from the board of health for a period of not less than 21 days before issuing a final determination, unless the Department has determined that a copy of the application was not required to be sent to a board of health. See #5 above.)

**7. What is the annual compliance fee?**

There is no annual compliance fee for these determinations.

**8. How long are these determinations in effect?**

There is no specific time limit to a determination of beneficial use unless stipulated for one time use of the material or as otherwise limited by the approval.

**9. How can I avoid the most common mistakes made in applying for these determinations?**

- Submit all the data on the chemical, physical and biological properties of the waste required for DEP to make a determination.
- Submit a signed copy of the certification form.
- Submit fee and one copy of the DEP Transmittal Form to: Department of Environmental Protection, P. O. Box 4062, Boston, MA 02211.

**10. What are the regulations that apply to these determinations? Where can I get copies?**

These regulations include, but are not limited to:

- Solid Waste Management Regulations, 310 CMR 19.000.
- Timely Action Schedule and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State Bookstore (in State House)  
Room 116  
Boston, MA 02133  
617-727-2834

State Bookstore  
436 Dwight Street, Room 102  
Springfield, MA 01103  
413-784-1376



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Application Completeness Check List

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- ☐ The DEP Transmittal Form is completed.
- ☐ Application has been completed.
- ☐ Certification statement submitted and signed (310 CMR 19.011).
- ☐ One copy of the application has been submitted to the local board of health, unless DEP determines that the proposed use is not limited to a specific location and therefore the board of health cannot be identified.

To submit the application package:

- ☐ Checklist items have been completed.
- ☐ Send one copy of the application along with one copy from the DEP Transmittal Form to:

Department of Environmental Protection

\_\_\_\_\_ \*Regional Office

Solid Waste Management

\*See "DEP Addresses and Phone Numbers" page included in this package.

**AND** (if required by DEP, with one copy of the Transmittal Form)

Board of Health

\_\_\_\_\_ (Address)

\_\_\_\_\_ (City or Town)

- ☐ Send fee of:

\$1,580 for BWP SW 13;

\$400 for BWP SW 30;

along with a check or money order made payable to *Commonwealth of Massachusetts*, along with one copy of the DEP Transmittal Form to:

Department of Environmental Protection

P.O. Box 4062

Boston, MA 02211



## Massachusetts Department of Environmental Protection

# Addresses and Phone Numbers

DEP Boston  
One Winter Street  
Boston, MA 02108  
Telephone: (617) 292-5500  
Fax: (617) 556-1049  
TDD: (617) 574-6868

William X. Wall Experiment Station  
37 Shattuck Street  
Lawrence, MA 01843  
Fax: (978) 688-0352  
**Division of Environmental Analysis**  
Telephone: (978) 682-5237  
**Air Quality Surveillance**  
Telephone: (978) 975-1138

Office of Watershed  
Management  
627 Main Street  
Worcester, MA 01608  
Telephone: (508) 792-7470  
Fax: (508) 839-3469

Millbury Training Center  
Route 20 Millbury, MA 01527  
Telephone: (508) 368-5600  
Fax: (508) 755-9253  
**Residuals Sludge Management**  
Telephone: (508) 368-5606  
**WWT Operator Certification**  
Telephone: (508) 368-5698

DEP Western Region  
436 Dwight Street  
Suite 402  
Springfield, MA 01103  
Phone: (413) 784-1100  
Fax: (413) 784-1149



Adams  
Agawam  
Alford  
Amherst  
Ashfield  
Becket  
Belchertown  
Bernardston  
Blandford  
Brimfield  
Buckland  
Charlemont  
Cheshire  
Chester  
Chesterfield  
Chicopee  
Clarksburg

Colrain  
Conway  
Cummington  
Dalton  
Deerfield  
Easthampton  
East Longmeadow  
Egremont  
Erving  
Florida  
Gill  
Goshen  
Granby  
Granville  
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Greenfield  
Hadley

Hampden  
Hancock  
Hatfield  
Hawley  
Heath  
Hinsdale  
Holland  
Holyoke  
Huntington  
Lanesborough  
Lee  
Lenox  
Leverett  
Leyden  
Longmeadow  
Ludlow  
Middlefield

Monroe  
Montague  
Monterey  
Montgomery  
Monson  
Mount Washington  
New Ashford  
New Marlborough  
New Salem  
North Adams  
Northampton  
Northfield  
Orange  
Otis  
Palmer  
Pelham  
Peru

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Russell  
Sandisfield  
Savoy  
Sheffield  
Shelburne  
Shutesbury  
Southampton  
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Southwick  
Springfield  
Stockbridge  
Sunderland  
Tolland

Tyringham  
Wales  
Ware  
Warwick  
Washington  
Wendell  
Westfield  
Westhampton  
West Springfield  
West Stockbridge  
Whately  
Wilbraham  
Williamsburg  
Williamstown  
Windsor  
Worthington

DEP Central Region  
627 Main Street  
Worcester, MA 01608  
Phone: (508) 792-7650  
Fax: (508) 792-7621  
TDD: (508) 767-2788



Acton  
Ashburnham  
Ashby  
Athol  
Auburn  
Ayer  
Barre  
Bellingham  
Berlin  
Blackstone  
Bolton  
Boxborough  
Boylston  
Brookfield

Charlton  
Clinton  
Douglas  
Dudley  
Dunstable  
East Brookfield  
Fitchburg  
Gardner  
Grafton  
Groton  
Harvard  
Hardwick  
Holden  
Hopedale

Hopkinton  
Hubbardston  
Hudson  
Holliston  
Lancaster  
Leicester  
Leominster  
Littleton  
Lunenburg  
Marlborough  
Maynard  
Medway  
Mendon  
Milford

Millbury  
Millville  
New Braintree  
Northborough  
Northbridge  
North Brookfield  
Oakham  
Oxford  
Paxton  
Pepperell  
Petersham  
Phillipston  
Princeton  
Royalston

Rutland  
Shirley  
Shrewsbury  
Southborough  
Southbridge  
Spencer  
Sterling  
Stow  
Sturbridge  
Sutton  
Templeton  
Townsend  
Tyngsborough  
Upton

Uxbridge  
Warren  
Webster  
Westborough  
West Boylston  
West Brookfield  
Westford  
Westminster  
Winchendon  
Worcester

DEP Southeast Region  
20 Riverside Drive  
Lakeville, MA 02347  
Phone: (508) 946-2700  
Fax: (508) 947-6557  
TDD: (508) 946-2795



Abington  
Acushnet  
Attleboro  
Avon  
Barnstable  
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Brewster  
Bridgewater  
Brockton  
Carver  
Chatham  
Chilmark

Dartmouth  
Dennis  
Dighton  
Duxbury  
Eastham  
East Bridgewater  
Easton  
Edgartown  
Fairhaven  
Fall River  
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Freetown  
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Gosnold  
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Kingston  
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Mansfield  
Marion  
Marshfield  
Mashpee

Mattapoisett  
Middleborough  
Nantucket  
New Bedford  
North Attleborough  
Norton  
Norwell  
Oak Bluffs  
Orleans  
Pembroke  
Plainville  
Plymouth  
Plympton

Provincetown  
Raynham  
Rehoboth  
Rochester  
Rockland  
Sandwich  
Scituate  
Seekonk  
Sharon  
Somerset  
Stoughton  
Swansea  
Taunton

Tisbury  
Truro  
Wareham  
Wellfleet  
West Bridgewater  
Westport  
West Tisbury  
Whitman  
Wrentham  
Yarmouth

DEP Northeast Region  
1 Winter Street  
Boston, MA 02108  
Phone: 617-654-6500



Amesbury  
Andover  
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Belmont  
Beverly  
Billerica  
Boston  
Boxford  
Braintree  
Brookline  
Burlington  
Cambridge  
Canton  
Carlisle

Chelmsford  
Chelsea  
Cohasset  
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Dedham  
Dover  
Dracut  
Essex  
Everett  
Framingham  
Georgetown  
Gloucester  
Groveland  
Hamilton  
Haverhill

Hingham  
Holbrook  
Hull  
Ipswich  
Lawrence  
Lexington  
Lincoln  
Lowell  
Lynn  
Lynnfield  
Malden  
Manchester-By-The-Sea  
Marblehead  
Medfield  
Medford  
Melrose

Merrimac  
Methuen  
Middleton  
Millis  
Milton  
Nahant  
Natick  
Needham  
Newbury  
Newburyport  
Newton  
Norfolk  
North Andover  
North Reading  
Norwood  
Peabody

Quincy  
Randolph  
Reading  
Revere  
Rockport  
Rowley  
Salem  
Salisbury  
Saugus  
Sherborn  
Somerville  
Stoneham  
Sudbury  
Swampscott  
Tewksbury  
Topsfield

Wakefield  
Walpole  
Waltham  
Watertown  
Wayland  
Wellesley  
Wenham  
West Newbury  
Weston  
Westwood  
Weymouth  
Wilmington  
Winchester  
Winthrop  
Woburn



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**BWP SW 13 Beneficial Use Determination – Major**  
**BWP SW 30 Beneficial Use Determination - Minor**  
Application for Beneficial Use Determination

Transmittal Number #

Facility ID (if known)

## A. Project Information

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**DIRECTIONS:**  
1. Specify the page numbers in which the following information is located.

2. Enter NA if information requested is not applicable.

1. Which permit category are you applying for? ☐ BWP SW 13 ☐ BWP SW 30

2. General Information about the Solid Waste

Page #

DEP USE ONLY

a. General description of the waste

b. Source of the waste

(1) Name of the generator

(2) Address of the generator

c. Description of the industrial process which produces the waste

d. Quantity (volume and/or tonnage)

3. Chemical, Physical and Biological Properties of the Waste

a. Chemical properties of the waste

(1) pH

(2) reactivity

(3) leachability (TCLP test)

(4) total metals

(5) VOCs

(6) other appropriate constituents

b. Physical properties of the waste

(1) size

(2) density

(3) percent solids

(4) liquid content of the waste

c. Biological properties of the waste, if applicable



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## A. Project Information (cont.)

	Page #	DEP USE ONLY
(1) pathogens		
4. Proposed Handling Methods and Utilization		
a. Proposed handling methods		
(1) transportation		
(2) storage		
(3) processing		
b. Proposed utilization		
(1) general description		
(2) location(s) where material is to be used		
(3) health and environmental impacts		

## B. Certification: 310 CMR 19.011

Any person, required by these regulations or any order issued by the Department, to submit papers shall identify themselves by name, profession, and relationship to the applicant and legal interest in the facility, and make the following certification: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties both civil and criminal for submitting false information including possible fines and imprisonment.

Print Name

Authorized Signature

Position/Title

Date